

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5010

IN THE MATTER OF:

Served January 23, 1997

PHOENIX LIMOUSINE & TOUR COMPANY,))
Suspension and Investigation of)
Revocation of Certificate No. 344)

Case No. MP-96-61

This investigation was initiated on December 10, 1996, in Order No. 4982 (initial order) for the purpose of determining whether Certificate of Authority No. 344 issued to Phoenix Limousine & Tour Company (respondent) shall be revoked for respondent's willful failure to comply with the insurance provisions of the Compact and regulations thereunder.

The Compact, Title II, Article XI, Section 7(f), directs each person holding a certificate of authority to comply with the Commission's insurance regulations. Commission Regulation No. 58-01 requires each carrier to maintain on file with the Commission an effective certificate of insurance.

Respondent's certificate of insurance was cancelled effective 12:01 a.m. on December 10, 1996, triggering the invalidation and automatic suspension of its certificate of authority under Article XI, Section 7(g), of the Compact and Regulation No. 58-02. Respondent was directed to file within 30 days from the date of the initial order an appropriate certificate of insurance or other evidence showing good cause why its certificate of authority should not be revoked. To date, respondent has filed neither.

Instead, on December 18, 1996, respondent filed a request for hearing, supported by a copy of a letter to respondent's insurance company advising that respondent had temporarily discontinued operations while away on business in Canada and requesting reinstatement as of January 2, 1997. January 2 has passed without respondent making the necessary filing. There being no other grounds for hearing stated in the request, it shall be denied.

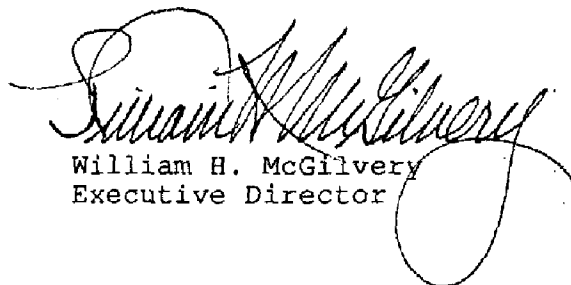
Respondent's certificate of authority shall be revoked pursuant to Article XI, Section 10(c), of the Compact for respondent's willful failure to comply with the insurance provisions of the Compact, the regulations thereunder and the initial order in this proceeding.

THEREFORE, IT IS ORDERED:

1. That the request for hearing is denied.
2. That Certificate of Authority No. 344 issued to Phoenix Limousine & Tour Company is hereby revoked.
3. That respondent is hereby directed to remove from respondent's vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61.

4. That respondent is hereby directed to file within 30 days from the date of this order a notarized affidavit verifying that respondent has complied with the preceding paragraph.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:



William H. McGilvery
Executive Director